

Attorney's Docket



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

#3

In re application of: James W. Webster and Julius C. Lockhart  
Serial No.: 09/824,490  
Filed: April 2, 2001  
Confirmation Number: 9378  
Customer Number:  
For: Modular Enclosure System for Electronic Equipment

COMPLETION OF FILING REQUIREMENTS

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

ATTENTION: Application Division

(check and complete this item, if applicable)

- I. ☒ This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed May 22, 2001.
- ☒ A copy of the Notice to File Missing Parts of Application—Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

- II. ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

OR

- ☐ The declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"


I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" Service  
under 37 C.F.R. § 1.10 on the date indicated below  
and is addressed to the Assistant Commissioner of  
Patents, Washington, D.C. 20231  
Date: July 20, 2001

FACSIMILE

☐ transmitted by facsimile to the  
Patent and Trademark Office

  
Signature

Express Mail Mailing Label No. ET372945493US

Patricia Ann Merrill  
(type or print name of person certifying)

(complete (c) or (d), if applicable)

Attached is a

- (c) ☒ Statement by a registered attorney that the application filed in the PTO is the application which the inventors executed by signing the declaration.
- (d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

#### AMENDMENT CANCELLING CLAIMS

- III. ☐ Cancel claims \_\_\_\_\_ inclusive.

#### TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

- IV. ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

#### SMALL ENTITY STATUS

- V. ☐ A verified statement that this filing is by a small entity

(check and complete applicable items)

- ☐ is attached
  - ☐ A separate refund request accompanies this paper.
- ☐ was filed on \_\_\_\_\_ (original)

## COMPLETION FEES

### VI.

**WARNING:** Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 CFR 1.53(d).

#### 1. Filing fee

- ☐ original patent application (37 CFR 1.16(a)—\$730.00;  
small entity—\$365.00 \$\_\_\_\_
- ☐ design application (37 CFR 1.16(f)—\$300.00;  
small entity—\$150.00 \$\_\_\_\_

#### 2. Fees for claims

- ☐ each independent claim in excess of 3 (37 CFR 1.16(b)—  
\$76.00; small entity—\$38.00) \$\_\_\_\_
- ☐ each claim in excess of 20 (37 CFR 1.16(c)—\$22.00;  
small entity—\$11.00) \$\_\_\_\_
- ☐ multiple independent claim(s) (37 CFR 1.16(d)—\$240.00;  
small entity—\$120.00) \$\_\_\_\_

#### 3. Surcharge fees

- ☐ late payment of filing fee and/or
- ☒ late filing of original declaration or oath  
37 CFR 1.16(e)—\$130.00; small entity—\$65.00); \$130.00

- 4. ☐ Petition and fee for filing by other than all  
the inventors  
or a person not the inventor  
(37 CFR 1.17(h) and 1.47—\$130.00) \$\_\_\_\_

- 5. ☐ Fee for processing an application filed with a  
specification in a non-English language  
(37 CFR 1.17(k) and 1.52(d)—\$130.00) \$\_\_\_\_

- 6. ☐ Fee for processing and retention of application  
(37 CFR 1.21(l) and 1.53(d)—\$300.00) \$\_\_\_\_

- 7. ☒ Assignment (See "ASSIGNMENT COVER SHEET".) \$ 40.00

Total completion fees \$170.00

## EXTENSION OF TIME

VII.

(complete (a) or (b as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$ 195.00
<input type="checkbox"/> three months	\$ 890.00	\$ 445.00
<input type="checkbox"/> four months	\$ 1,390.00	\$ 945.00

Fee \$ \_\_\_\_\_

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

or

- (b) ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## TOTAL FEE DUE

VIII.

The total fee due is

Completion fee(s) \$ 170.00  
Extension fee (if any) \$

TOTAL FEE DUE \$170.00

## PAYMENT OF FEES

IX.

- ☒ Enclosed is a check in the amount of \$170.00
- ☐ Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_  
A duplicate of this request is attached.

## AUTHORIZATION TO CHARGE ADDITIONAL FEES

X.

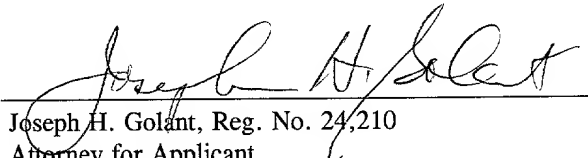
**WARNING:** *Accurately count claims, especially multiple dependant claims, to avoid unexpected high charges if extra claims are authorized.*

- ☒ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the pendency of this application to Account No. 10-1202\_
- ☒ 37 CFR 1.16(a), (f) or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☒ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 CFR 1.17 (application processing fees)

**WARNING:** *While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under § 1.136(a) this authorization should be made only with the knowledge that: "Submission of the appropriate extension fee under 37 CFR 1.1367(a) is to no avail unless a request or petition for extension is filed." (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).*

- ☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b))

Respectfully submitted,

  
\_\_\_\_\_  
Joseph H. Golant, Reg. No. 24,210  
Attorney for Applicant  
Tel. No.: (312) 269-1534

Jones, Day, Reavis & Pogue  
Suite 3500  
77 West Wacker Drive  
Chicago, Illinois 60601-1692



UNITED STATES PATENT AND TRADEMARK OFFICE

360043-620-560

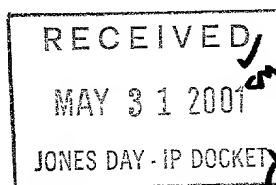
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/824,490	04/02/2001	J. Webster	Case No 440

CONFIRMATION NO. 9378

## FORMALITIES LETTER

Joseph H. Golant  
Jones, Day, Reavis & Pogue  
77 West Wacker Drive, Suite 3500  
Chicago, IL 60601-1692



Date Mailed: 05/22/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

07/25/2001 BABRANA 1000035 13224450

01 FD:105

*A copy of this notice **MUST** be returned with the reply.*

PART 1 - ATTORNEY/APPLICANT COPY

[illegible]